

87 Nepperhan Ave
Room 212
Yonkers, NY 10701

CITY OF YONKERS
SECOND HAND DEALER
LICENSE APPLICATION

Phone: 914-377-3000
Fax: 914-377-6811
Website:
www.YonkersNY.gov

INSTRUCTIONS FOR USING THIS FORM

Please Note:

If the required supporting documents are not submitted with the application, it will result in the delay and/or denial of the application.

Requirements:

1. Application must be signed by the applicant before a Notary Public.
2. If applicant is a member of a partnership or sole proprietor of the business and it is located within the County of Westchester, a copy of the Business Certificate obtained from the County Clerk (995-2000) of Westchester County must be provided. If applicant is a corporation, copy of Certificate of Incorporation or filing receipt must be submitted.
3. Provide a copy of a valid NYS Driver's License issued by the Motor Vehicle Department. If you do not have NYS Driver's License, a copy of a Motor Vehicle issued NY State ID Card is required.
4. Must be submit a Certificate Of Insurance for \$10,000 with the City of Yonkers listed as certificate holder.
5. Application must be submitted with a copy of the New York State Certificate of Authority for Sales Tax. If you do not have this certificate you should call the Department of Taxation & Finance at (914) 933-2204.
6. Make checks payable to the City of Yonkers.
7. Every Second Hand Dealer must keep a book to include: the description of every purchase and sale; a photo of all gold, silver or precious metal purchases, the name and address of the seller (copy of ID) and the date and time of purchase or sale. See complete list of requirements attached.
8. All licenses must be clearly displayed in the place of business, accessible to the public.

LICENSING FEES AND EXPIRATION DATE

\$170.00/term
License expires December 31st, following date of issuance.

INFORMATION FOR ALL OWNERS, PARTNERS, CORPORATE OFFICERS

NAME	ADDRESS	SOCIAL SECURITY #	PHONE #

Mike Spano, Mayor
Kerry O'Brien Hess, Director

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Pursuant to the provisions of the Code of the City of Yonkers, I the undersigned respectfully petition for the below-listed license in the City of Yonkers, and for that purpose, I hereby provide the following answers to the questions contained herein.

Name: _____ Social Security #: _____

Home Address: _____

City: _____ State: _____ Zip: _____

Home Phone #: _____ Cell #: _____ E-mail: _____

Date of Birth: _____ Sex: _____ Height: _____ Hair Color: _____ Eye Color: _____

Are you a citizen of the United States? _____

If not, please provide a copy of your INS A Card and #: _____

DBA or Corporate Name: _____

Address: _____ State: _____ Zip: _____

Telephone: _____ E-mail: _____

Have you ever been arrested or convicted of a crime? _____

If yes, explain: _____

Type of Goods to be purchased/sold: _____

Name of premises: _____

Address: _____ Telephone: _____

Is property owned or leased by applicant? _____

If leased, give names and addresses of owners: _____

Has applicant ever had a previous license? _____ If yes, what type of license: _____

Has applicant ever had a license denied or revoked? _____

If yes, provide explanation: _____

Mike Spano, Mayor
Kerry O'Brien Hess, Director



City of Yonkers
POLICE DEPARTMENT
104 South Broadway
Yonkers, New York 10701
377-7235

STATE OF NEW YORK)
COUNTY OF WESTCHESTER)
CITY OF YONKERS) SS:

I, _____,

Being duly sworn, depose and state that I am _____ years of age, being born on the
_____ day of _____, _____, in the City/Town/Village of _____
_____, in the State of _____.

I presently reside at _____,
in the City/Town/Village _____,
State of _____, with my _____.

I am presently employed as a _____,
by _____.

I do hereby solemnly swear under oath that I have never been arrested or convicted of
any crime, anywhere or at any time.

I make this statement with full knowledge that if same is not the truth, I will be liable
to the criminal charge of perjury for giving false information.

Signed: _____

Witness: _____

Witness: _____

SUBSCRIBED AND SWORN TO BEFORE ME

THIS _____ DAY OF _____, 20 ____.

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I, _____, being duly sworn, deposes and says that all of the answers in the foregoing application are true.

Signature/Date: _____ Print name: _____

Notary Public

Mike Spano, Mayor
Kerry O'Brien Hess, Director

KEEP FOR YOUR REFERENCE

Section 31-209. Restrictions.

All persons, who possess a Second Hand Dealers license, shall;

- A. Not falsely or fraudulently misrepresent the quantity, character or quality of any article offered for sale or offer for sale any non-wholesome, tainted or diseased provisions or merchandise.
- B. Keep the premises and used by the licensee in a clean and sanitary condition and the offered for sale items well-dusted and insect free.
- C. Not create or maintain any booth or stand or place any barrels, boxes, crates or other obstructions upon any street or public place for the purpose of selling or exposing for sale any goods, wares or merchandise.
- D. Not engage in any selling activities at any place other than the place of business designated in such license.
- E. Not purchase any Second-Hand goods, articles, or things from any person whom he or she knows to be or has reason to believe is under the age of 18 years.
- F. Not sell or dispose of any Second Hand goods, articles, or things until the expiration of fifteen (15) business days after the acquisition by such dealer of such articles.
- G. Not purchase any Second Hand goods, articles, or things from any person between the hours of 12:00 a.m. and 6:00 a.m.

Section 209.1 Refusal, Suspension and Revocation of a license.

In addition to any of the powers that may be exercised by the Director, pursuant to the Code of the City of Yonkers, the Director, after notice and an opportunity to be heard, may refuse to issue or renew, or may suspend or revoke, a license required under this Article if the applicant or licensee, or any of its general partners, members, principals, officers or directors, or any of its stockholders owning more than ten percent of the outstanding stock of the corporation, for any one of the following causes:

- A. Fraud, misrepresentation or bribery in securing a license.
- B. The making of any false statement as to a material matter in any application for a license.
- C. The business transactions of the licensee or applicant have been marked by a practice of failure to perform its contracts or the manipulation of assets or accounts, or by fraud or bad faith.
- D. Failure to display the license as provided in this article.
- E. Violation of any provision of this article or of any rule or regulation adopted hereunder.

Section 31- 209.2 Record of purchase and sales.

A. Every dealer in Second-Hand articles shall keep a book in which shall be legibly written in English, at the time of every purchase and at the time of every sale, a description of every article so purchased or sold, the number or numbers and any monograms, inscription or other marks of identification that may appear on such article, a description of the articles or pieces comprising old gold, silver, platinum, or other metals or gems or jewelry, and any monogram, inscription or marks of identification thereon, the name, residence and general description of the person from whom such purchase was made or to whom sold and the day and hour of the purchase or sale.

B. Such book, at all reasonable times, shall be open to the inspection of any officer or employee of the Office of Consumer Protection, Police Officer, to the Director, the Commissioner, or any judge of the court of the Unified Court System, or any person duly authorized in writing for such purposes by the Director, Commissioner or by any judge of the Unified Court System, who shall exhibit such written authority to the dealer. All records shall be maintained for a period of not less than two years.

C. Every dealer who purchases or sells gold, silver, platinum or other precious metals or gems or jewelry, shall keep a separate book or record containing a clear photograph of such item or items sold or purchased, a copy of the forms of identification presented by the seller and a telephone number and address at which the seller may be contacted, whose identity shall be confirmed upon presentation of one form of identification, in addition to such other information contained in Section 31-209.2 (a). All records shall be maintained for a period of not less than two years.

Section 31-209.3 Report to the Director or Commissioner.

Every dealer in Second-Hand articles, upon being served with a written notice to do so by a officer or employee of the Office of Consumer Protection or a member of the Police Department, shall report to the Director or Commissioner, a copy of the records required to be kept under section 31-209.2 of this Article, of all goods or articles or any part thereof, purchased, received or sold in the course of his or her business, during the days specified in such notice.

Section 31-210. Lost or Stolen Property.

A. If any goods or articles shall be advertised in any newspaper published in the City of Yonkers as having been lost or stolen, and if any goods or articles answering such advertised description or any part thereof, shall be in or come onto the possession of any Second Hand Dealer, upon receiving written or oral notice to do so, such Second Hand Dealer shall give information thereof in writing to the Commissioner.

B. Every Second Hand Dealer who shall have or receive any goods, or articles lost or stolen, or alleged or supposed to have been lost or stolen, shall exhibit the same, on demand, to the Commissioner, to any City of Yonkers police officer, Director, or to any judge of the court of the Unified Court System, duly authorized in writing by the Commissioner, Director or by any judge of the Unified Court System, who shall exhibit such written authority to the Second Hand Dealer.

Section 31-211 Sign for New and Second Hand articles.

Every Second Hand Dealer who also sells new articles within the licensed premises, shall have a sign of not less than two hundred sixteen square inches with letters thereon not less than two inches in height prominently displayed within the established place of business where said articles are sold, informing the public that new articles and second-hand articles are sold within said department or area.

Section 31-212. Labeling.

Every Second Hand Dealer, who also sells new articles within the Established Place of Business, shall label all second articles in such manner that the public will be informed thereof.

Section 31-213. Penalties for offenses.

A violation of this chapter shall constitute a Class II offense, except for a violation of Section 31-209.2 which shall be a Class I offense.